

the lengthy prosecution of this application, the existing claims have been canceled in their entirety and replaced with new claims having a single independent claim 27. The new claims, including independent claim 27, are believed to clearly define over the cited art.

New Claim 27

The singles stick of this invention is easy to use and can be quickly installed. All the user need do is to pull the base and staff apart until they lock together in the single, predetermined, extended and locked position that is provided therefor. The user then simply wedges the singles stick between the top cord or cable of the net and the ground at a predetermined court location between the singles line and the doubles line. When this is done, the top cord or cable is retained by the bottom of a fixed depth notch on top of the staff at just the right distance above the ground to conform the net to regulation singles play.

Significantly, the user does not need to measure the length of the singles stick since the single, predetermined, extended and locked position sets the length of the stick at just the right amount considering the vertical location the bottom of the notch has relative to the ground in this position. Moreover, the user need not figure out which of various possible extended and locked positions should be used since only a single, predetermined, extended and locked position is provided. The user simply puts the stick in the only extended and locked position that is provided. In this position, the singles stick will have just the right length.

The Examiner's previous prior art rejections have all been based on U.S. Patent 4,976,432 to Cheney. Even if we assume that Cheney could properly be modified so that

Cheney's stick sections could slide to be collapsible and extendible, which is by no means clear, Cheney discloses the use of a vertically adjustable pin 12 for vertically changing the height of the bottom of the notch. Thus, since the band of the tennis net will be effectively crinkled or compressed until the top support cord or cable of the net rests against the pin 12, Cheney would also have to provide a plurality of extended and locked positions corresponding to the number of pin positions for the tennis net to be properly convertible to singles play.

In other words, with pin 12 in the middle hole as shown in Figs. 10-12 of Cheney, Cheney's singles stick would have to be locked in a first, extended and locked position that was chosen so that the height of the pin 12 was precisely the right amount above the ground to provide regulation singles play. If the pin 12 in Cheney is moved to any other hole, the extended length chosen for the middle hole would no longer be correct. For example, if the pin 12 were moved to a lower hole, the tennis net would now be too low and if the pin 12 were moved to a higher hole the tennis net would be too high. The only way in Cheney to keep the tennis net height correct would be to provide a plurality of extended and locked positions for the singles stick, namely 5 such positions, corresponding to the 5 holes shown in Cheney. Simply put, Cheney does not disclose or suggest, and indeed teaches away from, a singles stick having a fixed depth notch cooperating with a single, predetermined, extended and locked position.

The secondary or teaching references showing various height adjustable items such as track hurdles or equestrian jumps, namely the references to Zody or Vitt, do nothing to supply what Cheney lacks. They all have many different extended and locked positions due to the large number of ad-

justment holes provided along their length. To find a particular desired position, the user would have to pay attention to which holes are being used and/or would have to measure. Zody or Vitt certainly do not teach a single, extended and locked position chosen with respect to the location of a fixed depth notch.

As presented herein, claim 27 is directed to the ease of use provided by the Applicant's invention, namely to an extensible and collapsible singles stick having a fixed depth notch and a single, extended and locked position chosen with respect to this notch. In this invention, the user simply pulls the base and staff apart until the single, predetermined, extended and locked position is reached and the user knows the stick will have just the right height when the top support cord or cable rests within the notch to position the net for singles play.

Claim 27 as presented herein particularly points and distinctly claims the invention. The references of record raise no prima facie case of obviousness as to claim 27. Accordingly, claim 27 is allowable.

The Dependent Claims

The dependent claims are further allowable due to the additional subject matter set forth therein.

For example, with respect to claim 31, the singles stick has a single extended and locked position, but it also has one other position in which it can be locked, namely a single collapsed position. None of the prior art of record showing any height adjustable members, such as Zody or Vitt or any of the other references of record, show members having just two locked positions, namely a single, predetermined, extended and locked position and a single,

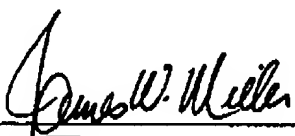
predetermined, collapsed and locked position. Accordingly, claim 31 is further allowable.

Summary

All of the claims remaining in this application are believed to clearly define over the prior art of record. Accordingly, prompt reconsideration and allowance of the present application are respectfully requested.

Respectfully submitted,

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